IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4501, 5008, 5014 and 5015 of 2005

Between:

M/s. Super Agiri Seeds Private Limited, Rep. by the Director,
V. Sankaraiah S/o. V. Subbaiah, aged about 38 years,
3-7-230, I Floor, Vikrampuri Colony, Secunderabad-500 003 (A.P.)

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by the Principal Secretary, Agriculture and Cooperation (Marketing) Department, Secretariat, Hyderabad. (A.P.)
2 Commissioner and Director of Marketing Burgula Ramakrishna Rao Building, Near Tank Bund, Hyderabad (A.P.)
3 Director General Vigillence and Enforcement Government of Andhra Pradesh, Burgula Ramakrishna Rao Building, Near Tank Bud, Hyderabad. (A.P.)
4 Agricultural Market Committee, Rep. by the Secretary, Hyderabad. (Post & District.)
5 Agricultural Market Committee, Rep. by the Secretary, Shankarpally, Ranga Reddy District. (A.P.)
6 Agricultural Market Committee, Rep. by the Secretary, Vikarabad , Ranga Reddy District. (A.P.)
7 Agricultural Market Committee, Rep. by the Secretary, Medchal , Ranga Reddy District. (A.P.)
8 Agricultural Market Committee, Rep. by the Secretary, Tandur, Ranga Reddy District. (A.P.)
9 Agricultural Market Committee, Rep. by the Secretary, Khammam (Post & District) (A.P.),
10 Agricultural Market Committee, Rep. by the Secretary, Karimnagar,(Post & District) (A.P.),
11 Agricultural Market Committee, Rep. by the Secretary, Mahabubnagar ,(Post & District) (A.P.),
12 Agricultural Market Committee, Rep. by the Secretary,

Shadnagar, Mahabubnagar District, (A.P.),

13 Agricultural Market Committee, Rep. by the Secretary, Makthal, Mahabubnagar District, (A.P.),

14 Agricultural Market Committee, Rep. by the Secretary, Alampur Head quarters at Raichur, Cross Roads Post, Mahabubnagar District.

15 Agricultural Market Committee, Rep. by the Secretary, Siddipet, Medak District (A.P.)

16 Agricultural Market Committee, Rep. by the Secretary, Nizamabad Post and District (A.P.)

17 Agricultural Market Committee, Rep. by the Secretary, Kamareddy, Nizamabad District (A.P.)

18 Agricultural Market Committee, Rep. by the Secretary, Armoor, Nizamabad District (A.P.)

19 Agricultural Market Committee, Rep. by the Secretary, Nakrekal, Nalgonda District (A.P.)

20 Agricultural Market Committee, Rep. by the Secretary, Bhongir, Nalgonda District (A.P.)

21 Agricultural Market Committee, Rep. by the Secretary, Suryapet, Nalgonda District (A.P.)

22 Agricultural Market Committee, Rep. by the Secretary, Choutuppal, Nalgonda District (A.P.)

23 Agricultural Market Committee, Rep. by the Secretary, Warangal Post and District (A.P.)

24 Agricultural Market Committee, Rep. by the Secretary, Adilabad Post and District (A.P.)

25 Agricultural Market Committee, Rep. by the Secretary, Bhainsa, Adilabad District (A.P.)

26 Agricultural Market Committee, Rep. by the Secretary, Nirmal, Adilabad District (A.P.)

27 Agricultural Market Committee, Rep. by the Secretary, Srikakulam Post and District (A.P.)

28 Agricultural Market Committee, Rep. by the Secretary, Vizianagaram Post and District (A.P.)

29 Agricultural Market Committee, Rep. by the Secretary, Polavaram Head quarters at Jangareddygudem Post, West Godavari District. (A.P.).

30 Agricultural Market Committee, Rep. by the Secretary, Nuzvid, Krishna District (A.P.)

31 Agricultural Market Committee, Rep. by the Secretary, Guntur Post and District (A.P.)

32 Agricultural Market Committee, Rep. by the Secretary, Mangalgiri, Guntur District (A.P.)

33 Agricultural Market Committee, Rep. by the Secretary, Kandukur, Prakasam District (A.P.)

34 Agricultural Market Committee, Rep. by the Secretary, Rajahmundry, East Godavari District (A.P.)

35 Agricultural Market Committee, Rep. by the Secretary, Eluru, West Godavari District ,

36 Agricultural Market Committee, Rep. by the Secretary, Chintalapudi, West Godavari District ,

37 Agricultural Market Committee, Rep. by the Secretary, Kurnool Post and District (A.P.),

38 Agricultural Market Committee, Rep. by the Secretary, Kadapa Post and District (A.P.),
39 Agricultural Market Committee, Rep. by the Secretary, Proddutur, Kadapa District (A.P.),
40 Agricultural Market Committee, Rep. by the Secretary, Madanapalli, Chittoor District ,
41 Agricultural Market Committee, Rep. by the Secretary, Anantapur Post and District ,
42 Agricultural Market Committee, Rep. by the Secretary, Kadiri, Anantapur District ,
43 Agricultural Market Committee, Rep. by the Secretary, Uravakonda, Anantapur District ,
44 Agricultural Market Committee, Rep. by the Secretary, Adoni, Kurnool District ,
45 Agricultural Market Committee, Rep. by the Secretary, Nandyal, Kurnool District ,
46 Agricultural Market Committee, Rep. by the Secretary, Nandikotkur, Kurnool District ,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or writ more appropriately a writ of Mandamus to declare the impugned action of the respondents in insisting to take license and to pay the market fee on sale and purchase of 'SEEDS' as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding to take license and to pay the market fee on the sale and purchase of all types of Seeds for sowing purpose from the petitioner and also direct the respondents to refund the illegally collected market fee from the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.RAJANNA

Counsel for the Respondent Nos. 1 to 3.: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 4 to 26: Mr. V.V.N. Narayana Rao

Counsel for the Respondent Nos. 27 to 36: Mr. K. Madhava Reddy

Counsel for the Respondent Nos. 37 to 46: Mr. P. Bhanu Prakash

WRIT PETITION NO : 5008 of 2005

Between:

Shriram Bioseeds Genetics India Limited, rep by the Power of Attorney Dr. Sharad Sharma, S/o Mr. R.S. Sharma, Plot No. 206, Road No.14 Jubilee Hills, Hyderabad

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep by Principal Secretary AGriculture and Cooperation (Marketing) Department Secretariat, Hyderabad (AP)
2 Commissioner and Director of Marketing Burgula Ramakrishna Rao Building Near Tank Bund, Hyderabad (AP)
3 Director General Vigilance and Enforcement Government of A.P. Burgula Ramakrishna Rao Building, Near Tank Bund, Hyderabad (AP)
4 Agricultural Market Committee Rep by Secrtary Medchal, Ranga Reddy District (AP)
5 Agricultural Market Committee Rep by Secrtary Shankarapalli, Ranga Reddy District (AP)
6 Agricultural Market Committee Rep by Secrtary Hyderabad District

7 Agricultural Market Committee Rep by Secrtary Karimnagar Post & District (AP)
8 Agricultural Market Committee Rep by Secrtary Vamulavada Post, Karimnagar District (AP)
9 Agricultural Market Committee Rep by Secrtary Metpally, Karimnagar District (AP)
10 Agricultural Market Committee Rep by Secrtary Jagtial, Karimnagar District (AP)
11 Agricultural Market Committee Rep by Secrtary Peddapalli Post, Karimnagar District (AP)
12 Agricultural Market Committee Rep by Secrtary Jammikunta Post, Karimnagar District (AP)
13 Agricultural Market Committee Rep by Secrtary Koratla Post, Karimnagar District (AP)
14 Agricultural Market Committee Rep by Secrtary Manthani Post, Karimnagar District (AP)
15 Agricultural Market Committee Rep by Secrtary Gangadhara Headquarters at Choppadandi, Karimnagar District (AP)
16 Agricultural Market Committee Rep by Secrtary Sultanabad Post, Karimnagar District (AP)
17 Agricultural Market Committee Rep by Secrtary Husnabad Post, Karimnagar District (AP)
18 Agricultural Market Committee Rep by Secrtary Huzurabad Post, Karimnagar District (AP)
19 Agricultural Market Committee Rep by Secrtary Dharmaram Post, Karimnagar District (AP)
20 Agricultural Market Committee Rep by Secrtary Sireilla Post, Karimnagar District (AP)
21 Agricultural Market Committee Rep by Secrtary Kataram Post, Karimnagar District (AP)
22 Agricultural Market Committee Rep by Secrtary Dharmapuri Post, Karimnagar District (AP)
23 Agricultural Market Committee Rep by Secrtary Gollapally Post, Karimnagar District (AP)
24 Agricultural Market Committee Rep by Secrtary Potugal Headquarters at Mustabad, Karimnagar District (AP)
25 Agricultural Market Committee Rep by Secrtary Nizamabad Post and District (A.P.),
26 Agricultural Market Committee Rep by Secrtary Kamareddy Post Nizamabad District (A.P.),
27 Agricultural Market Committee Rep by Secrtary Bodhan Post Nizamabad District (A.P.),
28 Agricultural Market Committee Rep by Secrtary Madnoor Post Nizamabad District (A.P.),
29 Agricultural Market Committee Rep by Secrtary Banswada Post Nizamabad District (A.P.),
30 Agricultural Market Committee Rep by Secrtary Yellareddy Post Nizamabad District (A.P.),
31 Agricultural Market Committee Rep by Secrtary Armoor Post Nizamabad District (A.P.),
32 Agricultural Market Committee Rep by Secrtary Pitiam Post Nizamabad District (A.P.),
33 Agricultural Market Committee Rep by Secrtary Gandhari Post Nizamabad

District (A.P.),
34 Agricultural Market Committee Rep by Secrtary Jangaon Post Warangal District (A.P.),
35 Agricultural Market Committee Rep by Secrtary Narasampet Post, Warangal District (A.P.),
36 Agricultural Market Committee Rep by Secrtary Kurnool Post and District
37 Agricultural Market Committee Rep by Secrtary Adoni Post, Kurnool District
38 Agricultural Market Committee Rep by Secrtary Nandyal Post, Kurnool District
39 Agricultural Market Committee Rep by Secrtary Allagadda Post, Kurnool District
40 Agricultural Market Committee Rep by Secrtary Yemmiganur Post, Kurnool District
41 Agricultural Market Committee Rep by Secrtary Dhone, Kurnool District
42 Agricultural Market Committee Rep by Secrtary Nandikotukur, Kurnool District (AP).,
43 Agricultural Market Committee Rep by Secrtary Koilakuntala, Kurnool District (AP).,
44 Agricultural Market Committee Rep by Secrtary Pattikonda, Kurnool District (AP).,
45 Agricultural Market Committee Rep by Secrtary Alur, Kurnool District (AP).,
46 Agricultural Market Committee Rep by Secrtary Atmakur, Kurnool District (AP).,
47 Agricultural Market Committee Rep by Secrtary Banaganapalli, Kurnool District (AP).,
48 Agricultural Market Committee Rep by Secrtary Hindupur, Anantapur District (AP).,
49 Agricultural Market Committee Rep by Secrtary Madanapalli, Chittoor District (AP)
50 Agricultural Market Committee Rep by Secrtary Kapadap Post & District (AP).,
51 Agricultural Market Committee Rep by Secrtary Mydukur, Kadapa District (AP)
52 Agricultural Market Committee Rep by Secrtary Tadepalligudem, West Godavari District (AP).,
53 Agricultural Market Committee Rep by Secrtary Eluru, West Godavari District (AP).,
54 Agricultural Market Committee Rep by Secrtary Palakole,, West Godavari District (AP).,
55 Agricultural Market Committee Rep by Secrtary Bhimavaram West Godavari District (AP).,
56 Agricultural Market Committee Rep by Secrtary Kovvur, West Godavari District (AP).,
57 Agricultural Market Committee Rep by Secrtary Tanuku, West Godavari District (AP).,
58 Agricultural Market Committee Rep by Secrtary Chintalapudi, West Godavari District (AP).,
59 Agricultural Market Committee Rep by Secrtary Polavaram Headquarters at Jangareddygudem, West Godvari District
60 Agricultural Market Committee Rep by Secrtary Penugonda, West Godavari District (AP).,
61 Agricultural Market Committee Rep by Secrtary Bhimadole, West Godavari District (AP).,

62 Agricultural Market Committee Rep by Secrtary Akiveedu, West Godavari District (AP).,
63 Agricultural Market Committee Rep by Secrtary Gopalapuram, West Godavari District (AP).,
64 Agricultural Market Committee Rep by Secrtary Ungaturu, West Godavari District (AP).,
65 Agricultural Market Committee Rep by Secrtary Achanta, West Godavari District (AP).,
66 Agricultural Market Committee Rep by Secrtary Narsapuram West Godavari District (AP).,
67 Agricultural Market Committee Rep by Secrtary Attili,, West Godavari District (AP).,
68 Agricultural Market Committee Rep by Secrtary Nuzvid, Krishna District (A.P).,
69 Agricultural Market Committee Rep by Secrtary Gannavaram, Krishna District (A.P).,
70 Agricultural Market Committee Rep by Secrtary Addanki, Prakasam District (AP)
71 Agricultural Market Committee Rep by Secrtary Markapur, Prakasam District (AP)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or Writ more appropriately a Writ of Mandamus to declare the impugned action of the respondents in insisting to take license and to pay the market fee on sale and purchase of SEEDS as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding to take license and to pay the market fee on the sale and purchase of all types of seeds for sowing purpose from the petitioner and also direct the respondents to refund the illegally collected market fee form the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.K.RAJANNA

Counsel for the Respondent Nos.1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 4 to 35: Mr. V.V.N. Narayana Rao

Counsel for the Respondent Nos. 36 to 51: Mr. P. Bhanu Prakash

Counsel for the Respondent Nos. 52 to 71: Mr. K. Madhava Reddy

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WRIT PETITION NO : 5014 of 2005

Between:

Rabbani Traders Rep. by its Proprietor
M.Jakir Hussain, S/o. Mahaboob Basha, aged about 30 years, D.No.12-1,
Godown No.8, K.G.Road, Nandikotkur Post, Kurnool District.

..... PETITIONER

AND

1 Govt. of Andhra Pradesh, rep. by its Principal Secretary,
Agriculture and Cooperation (Marketing) Department, Secretariat,
Hyderabad (A.P).
2 Commissioner & Director of Marketing, Burgula Rama Krishna Rao
Building, Near Tank Bund, Hyderabad. (A.P.)
3 Director General, Vigillance & Enforcement, Govt. of A.P., Burgula Rama
Krishna Rao Building, Near Tank Bund, Hyderabad. (A.P.)
4 Agricultural Marketing Committee Rep. by the Secretary
Nandikotkur Post, Kurnool District.
5 Agricultural Market Committee Rep. by the Secretary
Kurnool-518003 (A.P)
6 Agricultural Market Committee Rep. by the Secretary
Nandyal, Kurnool District (A.P.)
7 Agricultural Market Committee Rep. by the Secretary
Allagadda, Kurnool District.(A.P.)
8 Agricultural Market Committee Rep. by the Secretary
Koilkuntla, Kurnool District.(A.P.)
9 Agricultural Market Committee Rep. by the Secretary
Atmakur, Kurnool District.(A.P.)
10 Agricultural Market Committee Rep. by the Secretary
Dhone, Kurnool District (A.P).

11 Agricultural Market Committee Rep. by the Secretary
Yemmiganur, Kurnool District.(A.P).
12 Agricultural Market Committee Rep. by the Secretary
Adoni, Kurnool District.(A.P).
13 Agricultural Market Committee, Rep. by the Secretary,
Alur, Kurnool District.(A.P).
14 Agricultural Market Committee, Rep. by the Secretary,
Srikalahasti, Chittoor District,(A.P).
15 Agricultural Market Committee, Rep. by the Secretary,
Mahaboobnagar Post & District. (A.P)
16 Agricultural Market Committee, Rep. by the Secretary,
Allampur, Mahaboobnagar District. (A.P)
17 Agricultural Market Committee, Rep. by the Secretary,
Gadwal, Mahaboobnagar District. (A.P)
18 Agricultural Market Committee, Rep. by the Secretary,
Badepalli, Mahaboobnagar District. (A.P)
19 Agricultural Market Committee, Rep. by the Secretary,
Achampet, Mahaboobnagar District. (A.P)
20 Agricultural Market Committee, Rep. by the Secretary,
Wanaparthy, Mahaboobnagar District. (A.P)
21 Agricultural Market Committee, Rep. by the Secretary,
Kalvakurthy, Mahaboobnagar District. (A.P)
22 Agricultural Market Committee, Rep. by the Secretary,
Sathupalli, Khammam District. (A.P)
23 Agricultural Market Committee, Rep. by the Secretary,
Chintalapudi, West Godavari District. (A.P)
24 Agricultural Market Committee, Rep. by the Secretary,
Vijayawada, Krishna District. (A.P)
25 Agricultural Market Committee, Rep. by the Secretary,
Kanchikacherla, Krishna District. (A.P)
26 Agricultural Market Committee, Rep. by the Secretary,
Nandigama, Krishna District. (A.P)
27 Agricultural Market Committee, Rep. by the Secretary,
Ongole, Prakasam District. (A.P)
28 Agricultural Market Committee, Rep. by the Secretary,
Giddalur, Prakasam District. (A.P)
29 Agricultural Market Committee, Rep. by the Secretary,
Kanigiri, Prakasam District. (A.P)
30 Agricultural Market Committee, Rep. by the Secretary,
Naidupet, Nellore District. (A.P)
31 Agricultural Market Committee, Rep. by the Secretary,
Vinukonda, Guntur District. (A.P)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the impugned action of the respondents in insisting to take license and to pay the market fee on sale and purchase of "Seeds" as illegal and without jurisdiction and issue consequential direction prohibiting the Respondents from demanding to take license and the market fee on the sale and purchase of all types of seeds for sowing purpose from the petitioner and also direct respondents to refund the illegally collected market fee from the petitioner and pass such other order

or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.RAJANNA

Counsel for the Respondent Nos. 1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 4 to 14: Mr. P. Bhanu Prakash

Counsel for the Respondent Nos. 15 to 22: Mr. V.V.N. Narayana Rao

Counsel for the Respondent Nos. 23 to 31: Mr. K. Madhava Reddy

WRIT PETITION NO : 5015 of 2005

Between:

Rabbani Seeds, Rep. by the Proprietor, M. Rabbani, S/o. Mahaboob Basha, Aged about 24 Years, K.G. Road, Nandikotkur Post, Kurnool District.

..... PETITIONER

AND

1 Government of Andhra Pradesh, Rep. by the Principal Secretary, Agricultural and Cooperation (Marketing), Department, Secretariat, HYDERABAD (A.P)
2 Commisisoner & Director of Marketing, Burgula Ramakrishna Rao, Building, Near Tank Bund, HYDERABAD (A.P.)
3 Director General, Vigilance & Enforcement, Government of Andhra Pradesh, Burgula Ramakrishna Rao Building, Near Tank Bund, HYDERABAD (A.P.)
4 Agricultural Market Committee, Rep. by the Secretary,

Nandikotkur Post, Kurnool District. Andhra Pradesh.

5 Agricultural Market Committee, Rep. by the Secretary, Kurnool District.518003 Andhra Pradesh.

6 Agricultural Market Committee, Rep. by the Secretary, Nandyal, Kurnool District. Andhra Pradesh.

7 Agricultural Market Committee, Rep. by the Secretary, Allagadda, Kurnool District. Andhra Pradesh.

8 Agricultural Market Committee, Rep. by the Secretary, Kollakuntla, Kurnool District. Andhra Pradesh.

9 Agricultural Market Committee, Rep. by the Secretary, Atmakur, Kurnool District. Andhra Pradesh.

10 Agricultural Market Committee, Rep. by the Secretary, Dhone, Kurnool District. Andhra Pradesh.

11 Agricultural Market Committee, Rep. by the Secretary, Yemmiganur, Kurnool District. Andhra Pradesh.

12 Agricultural Market Committee, Rep. by the Secretary, Adoni, Kurnool District. Andhra Pradesh.

13 Agricultural Market Committee, Rep. by the Secretary, Alur, Kurnool District. Andhra Pradesh.

14 Agricultural Market Committee, Rep. by the Secretary, Srikalahasti, Chittoor District. Andhra Pradesh.

15 Agricultural Market Committee, Rep. by the Secretary, Mahaboobnagar Post and District. Andhra Pradesh.

16 Agricultural Market Committee, Rep. by the Secretary, Alampoor, Mahaboobnagar District. Andhra Pradesh.

17 Agricultural Market Committee, Rep. by the Secretary, Gadwal, Mahaboobnagar District. Andhra Pradesh.

18 Agricultural Market Committee, Rep. by the Secretary, Badepalli, Mahaboobnagar District. Andhra Pradesh.

19 Agricultural Market Committee, Rep. by the Secretary, Achampet, Mahaboobnagar District. Andhra Pradesh.

20 Agricultural Market Committee, Rep. by the Secretary, Wanaparthy, Mahaboobnagar District. Andhra Pradesh.

21 Agricultural Market Committee, Rep. by the Secretary, Kalvakurthy, Mahaboobnagar District. Andhra Pradesh.

22 Agricultural Market Committee, Rep. by the Secretary, Sattupalli, Khammam District. Andhra Pradesh.

23 Agricultural Market Committee, Rep. by the Secretary, Chintalapudi, West Godavari District. Andhra Pradesh.

24 Agricultural Market Committee, Rep. by the Secretary, Vijayawada, Krishna District, Andhra Pradesh.

25 Agricultural Market Committee, Rep. by the Secretary, Kanchikacharla, Krishna District, Andhra Pradesh.

26 Agricultural Market Committee, Rep. by the Secretary, Nandigama, Krishna District, Andhra Pradesh.

27 Agricultural Market Committee, Rep. by the Secretary, Ongole, Prakasam District, Andhra Pradesh.

28 Agricultural Market Committee, Rep. by the Secretary, Giddalur, Prakasam District, Andhra Pradesh.

29 Agricultural Market Committee, Rep. by the Secretary, Kanigiri, Prakasam District, Andhra Pradesh.

30 Agricultural Market Committee, Rep. by the Secretary, Naddupet, Nellore District, Andhra Pradesh.

31 Agricultural Market Committee, Rep. by the Secretary,
Vinukonda, Guntur District, Andhra Pradesh.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the impugned action of the respondents in insisting to take license and to pay the market fee on sale and purchase of "SEEDS" as illegal and without jurisdiction and issue consequential direction prohibiting the Respondents from demanding to take license and the market fee on the sale and purchase of all types of Seeds for sowing purpose from the petitioner and also direct the respondents to refund the illegally collected market fee from the petitioner and pass such other order or orders

Counsel for the Petitioner: MR.K.RAJANNA

Counsel for the Respondent Nos. 1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 4 to 14: Mr. P. Bhanu Prakash

Counsel for the Respondent Nos. 15 to 22: Mr. V.V.N. Narayana Rao

Counsel for the Respondent Nos. 23 to 31: Mr. K. Madhava Reddy.

The Court at the stage of admission made the following :

***COMMON ORAL ORDER*:**

Heard all the learned counsel on record. Perused the material placed

before me.

It is brought to the notice of this Court, by all the respective counsel that in similar circumstances, a learned Judge of this Court in a batch of Writ Petitions i.e. W.P. Nos. 202, 204, 323, 324, 1085 and 1280 of 2005, following a judgment of this Court rendered in W.P. No. 13527 & batch, gave certain directions, which are as under:

a. Seeds developed and manufactured by the petitioners, and sold as certified or labeled seeds, are not subject to levy of market fee, and the demand notices issued therefor are set aside.

b. Vegetable seeds are not covered by the provisions of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966, and are not subject to levy of market fee.

c. Such part of the product, grown out of foundation seed, by a farmer, chosen by the seed manufacturers, as is not sold and used as seed, shall be liable to be levied the market fee. For this purpose, the Executive Heads of the Market Committees shall be entitled to require the Seed Manufacturers, operating within the notified area, to furnish the relevant particulars and take consequential steps.

Therefore, these writ petitions are also disposed of at the stage of admission in terms of the directions given in the above writ petitions. No costs.

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kvsn 15-03-2005

To

1.The Principal Secretary, Agriculture and Cooperation (Marketing) Department, Secretariat, Hyderabad (A.P)

2 The Commissioner and Director of Marketing, Bhurgula Ramakrishna Rao Bhavan, Near Tank Bund, Hyderabad.

3 The Director General Vigilence and Enforcement Government of Andhra Pradesh, Bhurgula Ramakrishna Rao Building, Near Tank Bund, Hyderabad.

4 Two CCs to G.P. for Agriculture, High Court buildings, Hyderabad.

5 Two CDs.